

SPECIAL MEETING and WORK SESSION of the CORNWALL TOWN BOARD was held on the 5th day of March, 2013 in the First Floor Conference Room, 183 Main Street, Cornwall, NY

PRESENT: Supervisor
Councilpersons

D. KEVIN QUIGLEY
ELIZABETH LONGINOTT
RANDOLPH CLARK
MARY BETH GREENE

ABSENT: Councilman

ALEXANDER MAZZOCCA

Also PRESENT: STEVE GABA, representing attorney for Town, JAMES R. LOEB Esq.

A motion to open a Special Meeting was made by Councilwoman GREENE, seconded by Councilman CLARK.

ROLL CALL VOTE: Unanimous Aye.

A motion to go into Executive Session to interview a candidate for a vacant position on the Planning Board was made by Councilwoman GREENE, seconded by Councilman CLARK.

ROLL CALL VOTE: Unanimous Aye. The Board went into Executive Session with Mr. Kevin Cahill-Finn at 6:46 P.M.

Grant Writer: Mr. Victor Cornelius gave a brief report on which grants he was currently working on. He explained that there is another Hudson River Estuary Grant that will go up to 50,000 to 60,000 that he feels we have a good chance of getting. In addition regarding the wastewater and drinking water issues for the Town and Village are well into the engineering stage and final design stage. Mr. Cornelius feels that he has all his points lined up, and while we have to wait a long time to hear whether or not we will receive the grants, he thinks we stand a very good chance of securing the loan and he would offset as much as he could with grants. Another major grant coming up is the Water Quality Improvement Grant by the DEC which is an 80% grant that he had been successful with in the past with the Town of Rhinebeck for two million dollars on a four million project. This grant comes around only once every two to four years. Mr. Cornelius advised that he will be back at the next meeting with hopefully good news for the Town.

Trans Care: Mr. Dennis Murphy was present to advise the Board of the agreement that would be made between COVAC and Trans Care, which is an ALS (Advanced Life Support) provider. This agreement would insure that COVAC would be the only entity sending a bill to the patient. Trans Care would send their bill to COVAC only, never to the patient. Attorney GABA asked what happens if the patient doesn't pay. Mr. Murphy responded that it would probably get written off depending on the agreement between Trans Care and COVAC. Attorney GABA advised that he briefly looked at the draft agreement between COVAC and Trans Care, and it looked fairly simple and looked like Trans Care would bill COVAC a flat fee of \$295. Ms. Victoria Kartis advised that COVAC would try to set up as many agreements with as many ALS providers that they could to ensure that only COVAC bills the patient. Attorney GABA asked if Trans Care had any agreements with any other municipalities. Mr. Murphy replied that they do with all of Putnam County, Millbrook, Beekman, Union Vale, and Town of Wappingers. Trans Care has liability insurance with some of the Town's as additionally insured. Ms. Kartis advised that the only time that the patient would get billed would be if COVAC did not have an agreement for a particular ALS provider. Ms. Kartis advised that 80% of the time ALS is dispatched by 911 based on what the symptoms

are. Attorney GABA advised that he would like to see some minor changes to the contract between Trans Care and COVAC. Mr. Murphy apologized for his supervisor not being able to attend because he was sure that he would be able to make any changes on the contract. The Board thanked Mr. Murphy for attending the meeting. Attorney GABA advised that the contract that was discussed at the last meeting and an alternate version with the only difference between the two being there is a clause in the contract that says that COVAC is bound to remain in the Town for five years after the termination of the agreement and the alternate takes that part out. His recommendation was to go with the revised original and if necessary, that last provision about keeping COVAC in the Town could be modified at a later date. WHEREAS, the Town has established an Ambulance District which incorporates substantially all of the unincorporated area of the Town as well as the Village of Cornwall-on-Hudson, and WHEREAS, the Cornwall Volunteer Ambulance Corps. ("COVAC") is willing to operate ambulance vehicles and provide pre-hospital emergency medical service for the Ambulance District, and WHEREAS, the Town Board has before it the draft contract with COVAC for the years 2013 – 2016, NOW, THEREFORE, BE IT RESOLVED as follows:

1. That the Town Board hereby approves the proposed contract with COVAC, and
2. That the Town Supervisor is authorized to execute the contract along with any documents necessary to effectuate the same.

A motion to approve was made by Councilwoman GREENE, seconded by Councilman CLARK.

ROLL CALL VOTE: Unanimous Aye.

WHEREAS, the Town has established an Ambulance District which incorporates substantially all of the unincorporated area of the Town as well as the Village of Cornwall-on-Hudson, and WHEREAS, pursuant to General Municipal Law §122-b (2) the Town's Ambulance District is authorized to charge fees for provision of pre-hospital emergency medical services, and WHEREAS, any and all amounts collected for such fees shall belong to the Ambulance District,

1. That, pursuant to General Municipal Law §122-b (2), the Town Board determines that the Cornwall Ambulance District shall charge fees for provision of pre-hospital emergency medical services and
2. That the attached schedule of fees for pre-hospital emergency medical services is hereby established.

<u>Description of Service</u>	<u>Medicare Rate</u>	<u>Non-Medicare Rate</u>
Basic Life Support Emergency	\$364.86	\$725.00
Advanced Life Support Emergency Level 1	\$433.27	\$850.00
Advanced Life Support Emergency Level 2	\$627.10	\$900.00
Advanced Life Support RMA (Refusing Medical Aid)	N/A	\$525.00

Advanced Life Support Assist	N/A	\$525.00
Intercept Advanced Life Support II	N/A	\$625.00
Mileage	\$6.87	\$14.50

A motion to approve was made by Councilman CLARK, seconded by Councilwoman LONGINOTT.

ROLL CALL VOTE: Unanimous Aye.

A motion to close Special Meeting and go into Work Session was made by Councilwoman GREENE, seconded by Councilman CLARK.

ROLL CALL VOTE: Unanimous Aye.

Work Session: 7:40 P.M. to 7:55 P.M.

A motion to re-open the Special Meeting was made by Councilwoman GREENE, seconded by Councilman CLARK.

ROLL CALL VOTE: Unanimous Aye. Special Meeting was re-opened at 7:56 P.M.

KJ Request for Public Hearing: Councilman CLARK made a motion to authorize the Supervisor to send a letter to Mr. R. Scott Ballard of the DEC regarding Village of Kiryas Joel wells and pump station located in the Town of Cornwall, requesting them to hold a public hearing giving the residents of the Town to provide further information regarding potential adverse impacts of the pump station on their water supply, seconded by Councilwoman GREENE.

ROLL CALL VOTE: Unanimous Aye.

Police Department: Supervisor QUIGLEY advised that he received a memo from Chief Hazard asking for authorization to participate in the Stop DWI. Supervisor QUIGLEY advised that he also received a new tow license application from Chief Hazard.

Recreation: Supervisor QUIGLEY advised that he received a request from Karen Bidoski to use the COVAC building for a few Yoga and Little Maestro classes. Also from Karen Bidoski the Storm King School would like to use the fields for their newly formed high school varsity team three times per week at Laurel Crest. After discussion it was determined that we currently have a shortage of fields and while the Board would like to accommodate Storm King; we just do not have enough fields to go around. Supervisor QUIGLEY received new proposed fees from Ms. Bidoski which the Board felt was fine to approve on Monday night except for the last part about use charges which should be deleted.

Munger Cottage: Supervisor QUIGLEY advised that the outside of Munger Cottage is very dark and he received an electrical proposal to add lighting on two different places for a total cost of \$1,300.00.

Records Room: Superintendent of Buildings and Grounds, Albert Conley advised that there are a lot of leaks in the Records Room. He explained that all the mortar in the joints of the bricks are coming

undone. Mr. Conley advised that he received a proposal from Yankee Construction to grind the old mortar and refill/repair from the rooftop down below the windows and all the way across; the cost would be \$9,500.00. If they were to do the entire back side of the building it would be \$21,500.00. Mr. Conley added that eventually the entire building would have to be done and he would like to maybe do one side this year and another next year and so on. Mr. Conley will try to get multiple quotes hopefully for Monday. Mr. Finn advised that he did roofs and you really had to find the source of where the water is coming in, repair that first; let the brick dry out and then repair. He added that you should never put a film over brick because it needs to breath and by putting a film on it you are just going to trap the moisture in the brick.

Little League Cabin: Superintendent Conley advised that the building is only six years old and this winter we had a problem with the furnace. The exchanger is burned out and Mr. Roth came down to look at it and because it was only six years old, we were able to get a new exchanger for free, but the problem is that the plumbers who installed it did not raise it high enough off the floor and they did not put two return exchanges in; so its starving for air. The unit needs to be raised and two new returns added. Mr. Richard Randazzo advised that at the time the work was done by volunteers. Councilman CLARK suggested that we co-partner with Little League. Supervisor QUIGLEY advised that the cost to raise it and add the returns would be \$4909.00. Superintendent Conley was to try to get more quotes for Monday's meeting.

Notary: Supervisor QUIGLEY advised that he received a request from Town Clerk, Renata McGee looking for authorization to have Deputy Town Clerk, Cecilia Iovine attend a class in Middletown NY to become a Notary Public and the cost of materials for a total of \$95.00 plus mileage. Councilwoman GREENE suggested that we offer others in the buildings the opportunity to do the same.

Cornwall Conservation Advisory Committee: Supervisor QUIGLEY advised that he received a letter from Kathi Ellick requesting re-appointment to the committee.

NYSTCA Conference: Supervisor QUIGLEY advised that he received a request from Town Clerk, Renata McGee to attend the 31st annual New York State Town Clerk Association Conference in Buffalo for training. The total cost is \$645 which includes registration and accommodations; plus mileage.

Assemblyman James Skoufis: Councilman CLARK recommended that we acknowledge Mr. Skoufis's letter regarding the chips program. Supervisor QUIGLEY advised that we should thank him for trying to get us more money for the program.

Orange County Historic Grant: Councilwoman GREENE advised that the deadline of March 15 is fast approaching and stated that she was willing to submit a grant for the Sands Ring building. Superintendent Albert Conley advised that we really should have an architect come in and do a full review before we even consider making any repairs because it is falling apart; leaks, black mold, etc,. Councilwoman GREENE advised that she would submit a grant to cover the cost of having an architectural review. Councilman CLARK suggested that we do the roof in order to stop some of the

problems since there is a roof fund available. Councilman CLARK advised that the architectural shingles could be used instead of the shakers and be much more cost effective. Mr. Conley advised that this year the roof really leaked a lot, and you would have to repair the plaster walls that are covered in black mold. He added that the dormers would also have to be rebuilt. Councilman CLARK advised that he thought that the cost for the roofing is approx. \$18,000.00. Supervisor QUIGLEY advised that it was between \$13,000.00 to \$18,000.00. Councilman CLARK stated that there was a roof fund that had roughly \$12,000.00 to \$14,000.00.

IRS: Supervisor QUIGLEY reminded Attorney GABA that we needed a resolution for Monday night regarding department heads use of Town vehicles.

Public Comment: Mr. Kevin Cahill-Finn wanted to know if the Town had any official oversight over NYMA in light of recent developments to make sure that it is still strictly an educational facility and still eligible for tax exemption. Attorney GABA advised that the assessor would determine the status based on the use of the land and not ownership. Councilman CLARK agreed that there was some concern about this organization which is based in China, and he would like to know more about them. Councilman CLARK advised that when we last discussed this, he had recommended that we pick up where we left off; as that area is very important to us. Attorney GABA advised that one of the things that the Comp plan recommended was properties along 9W, not NYMA per say, but across the road, be rezoned to HC (Highway Commercial) and continue to build upon the Comp plan. Councilman CLARK advised that one of the Town's options was to make an offer; so that years from now we might need that; which was one of the recommendations from special counsel Nixon Peabody. Attorney GABA advised that he would like to have a brief closed session on Monday to discuss pending litigation and maybe we could tack on this concern as well. Councilman CLARK wanted to know if we had any positive results this morning with Mill St.; there was supposed to be lots of equipment and a crew hard at work. Supervisor QUIGLEY advised that he did not hear anything. Mr. Peter Erwood wanted to know if there were any updates regarding Cornwall Commons. Attorney GABA explained that the developer is working with the Town's consultants and there is a list of questions and concerns, but that they had nothing for the Town Board just yet. Mr. Erwood wanted to know when this would take place. Attorney GABA advised that it was supposed to happen before this meeting, but it just did not come together, and we will meet with them this month and hopefully by the end of this month or April, they might be able to come in to make a presentation. Mr. Erwood wanted the minutes to the meeting with the developer and the Town's consultants. Attorney GABA advised that it was not an open meeting and therefore there were no minutes. Ms. Jackie Scrinski stated that many people were concerned that the housing plan will remain very dense as it was originally proposed even if the zoning is changed and wanted to know how the Town Board felt about that. Supervisor QUIGLEY advised that we will see what happens when they bring something to the table, and then the Board will determine what is best for the Town. Chris Kamlet asked if those meetings will be open to the public. Supervisor QUIGLEY stated that those meetings will be open to the public and a public hearing will be held and there will be minutes. Mr. Rick Gioa advised that this project was meant to be for a planned adult community only, and anything else needs to be looked at with a severely critical eye; look at the crunch for little league field space and just imagine the community that we are all going to live in if a great change is allowed to go forward. All the little things like Munger Cottage and all these historical things that we like to say are dear to us; will be blown out of the water and gone; it might as well be Union County New Jersey. Mr. Gioa stated that the Board better play it forward; "I hope you are going to play it forward quite a bit in this process rather than looking in the rear-view mirror and saying what the hell did we do"? Mr. Mark Fleishman stated that since these meetings between the Town's consultants and the developer are not open meetings, he would like prior notice for when they finally do become public. Councilwoman

GREENE recommended that we list it in the Local one week prior to them coming to a meeting even if we have to move the meeting to a different location. Supervisor QUIGLEY agreed that we would put it in the paper inviting the public to attend. Mr. Gerald Jacobowitz, attorney for the developer stated for the record that they were not going to destroy Munger.

There being no further business to conduct, a motion to adjourn was made by Councilman CLARK, seconded by Councilwoman GREENE.

ROLL CALL VOTE: Unanimous Aye.

Renata McGee
Town Clerk
